

REMARKS

Claims 1-4, 6, 8, 11-18 and 20 are currently pending. Claims 1-4, 6, 8, 11-18 and 20 have been rejected. Claims 5, 7, 9, 10, 19, and 21 were previously cancelled. Claims 1-4, 6, 8, 11-18, and 20 are believed to be in condition for allowance and such favorable action is respectfully requested.

Claim 1 has been objected to for informal reasons. The informalities of claim 1 have been corrected in accordance with the Examiner's suggestions.

The Examiner rejected claims 1, 2, 4, and 6 under 35 U.S.C. 102(b) as being clearly anticipated by U.S. Patent No. 5,860,759 to Leicht, (hereinafter "Leicht"). Applicant respectfully traverses these rejections and hereby requests reconsideration.

Claim 1 has been amended to include the limitation of "wherein a portion of the mating surfaces of the first and second sets of mounting brackets contacts the first and second frame members."

Leicht does not include this limitation. As seen in FIGS. 1, 3 and 4, the hooks 58 or mating surfaces of Leicht do not contact the surface 38 of the post.

Therefore, Leicht does not disclose a portion of the mating surface that contacts the frame members.

As the Examiner is well aware, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Accordingly, Leicht does not disclose a portion of the mating surface that contacts the frame member. Therefore, Applicant submits the rejection of claim 1 under §102 based on Leicht is improper and should be withdrawn. Such action is respectfully requested.

Therefore, for at least the reasons stated above, claim 1 is believed to be in condition for allowance and it is respectfully requested that the rejection of the claim be withdrawn. As claims 2-4 and 6 depend from independent claim 1, these claims are also believed to be in condition for allowance, at a minimum, by virtue of their dependence from an allowable base claim. Such favorable action is respectfully requested.

Claim 8, 11-18 and 20 were rejected under 35 U.S.C. 103(a) as being obvious in view of Leicht and in view of U.S. Patent No. 2,994,888 to Minuti.

Claim 8 was amended to include the limitations of "wherein a portion of the mating surface contacts the side panels" and "wherein a portion of the mating surface contacts the first and second sides of the seat portion." Neither Leicht nor Minuti disclose brackets with mating portions that contact side panels or seat portions. Specifically, as stated above with respect to Leicht and as seen in FIGS. 1, 3 and 4, the hooks 58 or mating surfaces of Leicht do not contact the surface 38 of the post. Further, Minuti does not disclose a mating surface that contacts a surface of members 10, 11. Thus, neither Leicht nor Minuti, either singly or in combination, disclose all of the limitations contained in claim 8.

Therefore, for at least the reasons stated above, claim 8 is believed to be in condition for allowance and it is respectfully requested that the rejection of the claim be withdrawn. As claims 11-14 depend from independent claim 8, these claims are also believed to be in condition for allowance, at a minimum, by virtue of their dependence from an allowable base claim. Such favorable action is respectfully requested.

Claim 15 has been amended to include the limitations of "wherein a portion of the mating surface of said first means for attaching said side panels contacts each of said side panels" and "wherein a portion of the mating surfaces of said second means for attaching each of

the first and second sides of the seat portion contacts each of the first and second sides of the seat portion"

Neither Leicht nor Minuti disclose the above limitations of first and second mean for attaching side panels and side of seats that have mating portions that contact the side panels or seat portions. Specifically, as stated above with respect to Leicht and as seen in FIGS. 1, 3 and 4, the hooks 58 or mating surfaces of Leicht do not contact the surface 38 of the post. Further, Minuti does not disclose a mating surface that contacts a surface of members 10, 11. Thus, neither Leicht nor Minuti, either singly or in combination, disclose all of the limitations contained in claim 15.

Therefore, for at least the reasons stated above, claim 15 is believed to be in condition for allowance and it is respectfully requested that the rejection of the claim be withdrawn. As claims 16-18 and 20 depend from independent claim 15, these claims are also believed to be in condition for allowance, at a minimum, by virtue of their dependence from an allowable base claim. Such favorable action is respectfully requested.

Therefore, claims 1-4, 6, 8, 11-18, and 20 are currently pending and believed to be in condition for allowance, and such favorable action is respectfully requested. If any issues remain that would prevent issuance of this application, the Examiner is urged to contact the undersigned by telephone prior to issuing a subsequent action.

Respectfully submitted,


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DWS/nlm

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